

Applicant(s): H. Roh
Application No.: 10/716,390
Examiner: M. Clement

Remarks

As an initial matter, Applicant appreciates the courtesies extended to his representatives, Seth Blum, by the Examiner during a telephone conference conducted November 9, 2005. These amendments and remarks presented herein reflect those discussed during the interview, and Applicant respectfully submits that this Response satisfies the requirements of MPEP §713.04.

Claims 3-6 and 9-16 are pending in the application and are presented for the Examiner's review and consideration. Claims 3-6, 9, 10, 13 and 14 have been amended and claim 1 has been cancelled. Applicant believes the claim amendments, cancellation, and accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

Objection to the Specification

The Examiner objected to the amendment filed on June 21, 2005 under 35 U.S.C. 132(a), asserting that the amendment introduces new matter into the disclosure. Applicant respectfully traverses the Examiner's objection and submits that the original specification supports the amendment that the weapons base is detachably connected to the barrel between the trigger guard and the second end of the barrel.

The original specification discloses that the short repeater rifle 10 has a main stock 12, a magazine 14, a pistol handle 16, a trigger guard 18, a trigger 20, a forestock 22 with a ridged grip 24, a lever 26 that can be mounted on the right or left, and a barrel 28, on which there is a mount 30 and a targeting telescope 32. (§[0030]). For a barrel length of 650 mm, it has a total weapon length of only 880 mm and a weight (without targeting telescope) of less than 3.4 kg and is easily transportable due to the center of gravity lying in front of the trigger guard in the shooting direction. (Id). The barrel 28 has at its rear end a lock 36. (§[0031]). In addition, it can also be seen that a cartridge receiver 42 and the lock 36 of the barrel 28 are located on the rear end of the barrel 28. (§[0031]).

Advantageously, the barrel is connected to the weapon base by means of a prismatic clamping joint. (§[0008]). According to another preferred embodiment of the invention, a

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mount for the targeting device can be mounted detachably on the barrel in the region of the connection between the barrel and the weapon base. (§[0011]).

Figure 2 shows a side view of a weapon base 34 of the short repeater rifle 10 of Figure 1. (§[0031]). Figure 3 shows a section view along line III-III of Figure 2. It can be seen that the barrel 28 is mounted on the weapon base 34 by means of a locking screw 38. (§[0032]). Figure 4 shows an exploded view of a part of the short repeater rifle of Figure 1 next to a section view along line IV-IV. (§[0033]). It can clearly be seen that the barrel 28 is connected to the weapon base 34 by means of a prismatic clamping joint. (Id.).

As such, the original specification discloses a barrel having a length of about 650 mm. A first end of the barrel, the rear end, includes a cartridge receiver and the lock. As the barrel is finite in length, the barrel includes a second, open end opposite the first, rear end. This can clearly be seen in figures 1 and 2. Accordingly, Applicant submits that the original specification discloses a barrel having a first, rear end and a second, open end opposite the first end.

Additionally, the original specification discloses that the barrel is detachably connected to the weapons base by means of a prismatic clamping joint. Figure 3 depicts the barrels connection to the weapons base, where figure 3 is a section view along line III-III of figure 2. As seen in figures 2, also with reference to the scope mount in figures 1 and 2, the section view along line III-III is located in front of the trigger and trigger guard in the shooting direction. As such, the original specification clearly discloses that the barrel is connected to the weapons base at a location in front of the trigger guard in the shooting direction.

Furthermore, the second, open end of the barrel is located in front of the trigger guard in the shooting direction (see figures 1 and 2) and the barrel/weapons base connection is positioned between the trigger guard and the second end of the barrel. This is also demonstrated in figure 2, where the section view along line III-III is show as being located between the trigger guard and the second, open end of the barrel.

Accordingly, Applicant submits that the original specification discloses the weapons base detachably connected to the barrel between the trigger guard and the second end of the barrel. In light of the foregoing, Applicant requests reconsideration and withdrawal of the objection to the amendment filed on June 12, 2005.

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§112 Claim Rejections

Claims 1, 3-6 and 9-16 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner stated that the claims contains subject matter which was not described in the specification in such a way as to reasonable convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In this regard, the claim language "the weapon base detachably connected to the barrel between the trigger guard and the second end of the barrel" was cited. Applicant respectfully traverses the rejection.

As previously discussed, the specification discloses that the barrel is detachably connected to the weapon base by means of a prismatic clamping joint. Figure 3 depicts the barrel's connection to the weapon base, where figure 3 is a section view along line III-III of figure 2. As seen in figure 2, also with reference to the scope mount in figures 1 and 2, the section view along line III-III is located between the trigger guard and the second end of the barrel in the shooting direction. As such, the barrel is disclosed as being connected to the weapon base at a location between the trigger guard and the second end of the barrel.

Referring now to figure 4, the prismatic clamping joint is shown and described as including a locking screw. The locking screw is used to connect the barrel to the weapon base.

As such, the specification discloses the weapon base detachably connected to the barrel between the trigger guard and the second end of the barrel in such a way as to reasonable convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In light of the foregoing, Applicant requests reconsideration and withdrawal of the §112 rejection of claims 3-6 and 9-16.

§102 Claim Rejections

Claims 1, 3-6, and 10-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over by U.S. Patent No. 6,481,144 to Chce et al ("Chee"), U.S. Patent No. 5,704,155 to Primeau ("Primeau"), and U.S. Patent No. 2,302, 699 to Klipsch ("Klipsch"). For the reasons set forth below, Applicant respectfully submits that this

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rejection should be withdrawn.

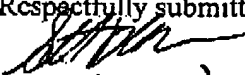
Claims 9, 13, and 14 have been rewritten in independent form. Notably, these claims were not rejected based on the combination of Chee, Primeau, and Klipsch. As claims 3-6 and 10-12 depend from claim 9, and claims 15-16 depend from claim 14, these dependent claims necessarily include all the elements of their base claims. Accordingly, Applicant respectfully submits that the dependent claims are allowable over the cited references at least for the same reasons.

In light of the foregoing, Applicant requests reconsideration and withdrawal of the section 103(a) rejection.

Conclusion

In light of the foregoing remarks, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

No fee is believed to be due. However, please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7100-X03-045).

Respectfully submitted,
by  Reg # 419,489
(Seth Blom)

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